

UNITED STATES DISTRICT COURT

SAM SPARKS
JUDGE

512/916-5230

WESTERN DISTRICT OF TEXAS
200 WEST EIGHTH STREET, SUITE 100
AUSTIN, TEXAS 78701-2333

2-34-11

February 24, 2011

Clerk, U. S. District Court
Western District of Texas

 Deputy

Mr. Felipe Guillen-Nunez

Re: United States of America v. Felipe Guillen-Nunez; No. A-10-CR-773-SS, in the United States District Court for the Western District of Texas, Austin Division

Dear Mr. Guillen-Nunez:

You are advised that you may appeal the sentence imposed by this Court under certain circumstances set out in Title 18 U.S.C. § 3742(a)(1). Under Rule 4(b) of the Federal Rules of Appellate Procedure, a notice of appeal must be filed with the United States District Clerk within fourteen (14) days after the entry of the judgment or order appealed from.

If you desire him to do so, the District Clerk will, upon request, prepare and file the notice of appeal on your behalf, but, of course you must make the request within the fourteen (14) day period indicated. In addition to stating that you are taking the appeal, your notice of appeal must designate the portions of the proceedings not already on file which you deem necessary that the reporter include in the record. Such designation must, of course, in any event be made within fourteen (14) days after filing the notice of appeal. See Rule 10(b), Federal Rules of Appellate Procedure.

If you were represented at trial by employed counsel, but you are unable to pay the cost of the appeal, you have the right to apply to the Court for leave to appeal in forma pauperis, in accordance with Rule 24(a), Federal Rules of Appellate Procedure. Your application to appeal in forma pauperis must be filed with the Clerk within the fourteen (14) day period, otherwise, it may not be considered by the Court. If, however, you were permitted to proceed in the district court as one who is financially unable to obtain adequate defense (that is, if the court appointed an attorney to represent you at trial), then you may proceed on appeal in forma pauperis without further authorization, unless the Court certifies in writing that you are not entitled to so proceed. In either case, you must also file or request the District Clerk to file the notice of appeal within the fourteen (14) day period provided by Rule 4(b), Federal Rules of Appellate Procedure.

Sincerely,


Sam Sparks

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